

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or any original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LOW FREQUENCY CATARACT FRAGMENTING DEVICE

the specification of which ☒ is attached hereto.  
☐ was filed on \_\_\_\_\_ as  
 United States Application Number \_\_\_\_\_  
 or PCT International Application Number \_\_\_\_\_  
 and was amended on \_\_\_\_\_  
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the invention was not published in an application filed before my invention, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

APPLICATION NUMBER	COUNTRY (OR INDICATE IF PCT)	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			<input type="checkbox"/> No <input type="checkbox"/> Yes
			<input type="checkbox"/> No <input type="checkbox"/> Yes

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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE
60/173,829	December 30, 1999

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (ISSUED, PENDING, ABANDONED)

I hereby appoint IRELL & MANELLA LLP, a firm including: Paul Backofen, Reg. No. 42,278; Norman E. Bruncell, Reg. No. 26,533; Douglas Carsten, Reg. No. 43,534; Gary Frischling, Reg. No. 35,515; Benjamin Hattenbach, Reg. No. 41,820; Andrei Iancu, Reg. No. 41,862; Bruce D. Kuyper, Reg. No. 33,937; Soycon Laub, Reg. No. 39,266; Samuel K. Lu, Reg. No. 40,707; Kimberley G. Nobles, Reg. No. 38,255; Lisa Partain, Reg. No. 40,763; Babak Redjaian, Reg. No. 42,096; Flavio Rosc, Reg. No. 40,791; David Rosman, Reg. No. 43,059; Peter Wied, Reg. No. 43,264; Sharon Wong, Reg. No. 37,760; and Ben J. Yorks, Reg. No. 33,609; my attorneys; with offices located at 840 Newport Center Drive, Suite 400, Newport Beach, California 92660, telephone (949) 760-0991, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First/Joint Inventor:

(given name, middle initial, family name)

Alex Ulrich

Inventor's Signature

*Alex Ulrich*

Date

3/30/00

Residence

Mission Viejo, California  
(City, State)

Citizenship

USA  
(Country)

P.O. Address

27402 Via Caudaloso  
Mission Viejo, California 92692 USA

**Full Name of Second/Joint Inventor:**

(given name, middle initial, family name)

Michael Curtis

Inventor's Signature

Michael Curtis

Date

3/30/00

Residence

Lake Forest, California

(City, State)

Citizenship

USA

(Country)

P.O. Address

26421 Pebble CreekLake Forest, California 92630 USA

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PTO/SB/10 (1-99)

Approved for use through 08/30/2000. OMB 0851-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.8(f) & 1.27(c))—SMALL BUSINESS CONCERN**Docket Number (Optional)  
155696-0024Applicant, Patentee, or Identifier: Alex Urich et al.

Application or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: Low Frequency Cataract Fragmenting Device

I hereby state that I am

- ☐ the owner of the small business concern identified below.
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN Circuit Tree Medical, Inc.ADDRESS OF SMALL BUSINESS CONCERN 22332 Madero Road, Suite F  
Mission Viejo, California 92691

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.8(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.8(d), or a nonprofit organization under 37 CFR 1.8(e).

Each person, concern, or organization having any rights in the invention is listed below.

- ☒ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Alex UrichTITLE OF PERSON IF OTHER THAN OWNER PresidentADDRESS OF PERSON SIGNING 22332 Madero Road, Suite F, Mission Viejo, California 92691SIGNATURE Alex UrichDATE 3/30/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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